Justice and Home Affairs

Proposal for the introduction of: The “Fire Precautions (Tall Residential Buildings) Regulations”

The proposed regulations would be issued under Article 8 of the Fire Precautions (Jersey) Law 1977 by the Minister for Justice and Home Affairs

Introduction and contents

Purpose of the Consultation and definition of 'tall residential buildings'

This consultation seeks your views on the Minister for Justice and Home Affairs' ("The Minister") proposal to introduce new fire safety regulations for tall residential buildings in Jersey. These regulations would directly implement some of the key building fire safety recommendations from the Grenfell Tower phase 1 inquiry report which are aimed at maintaining and where necessary improving safety for residents.

Tall residential buildings are defined as 11 metres tall and above. Typically, these are blocks of flats where there are 5 or more stories (including the ground level). Jersey currently has more than 125 of these buildings, containing approximately 4,000 flats and providing homes to an estimated 8,500 islanders including both renters and owner occupiers.

In the regulations, tall residential buildings are defined as buildings which meet all the following criteria:

- contains a top story more than 11 metres above ground level
- contains two or more residential dwellings (typically flats)
- contains common parts through which residents evacuate in the case of an emergency (typically shared corridors and stairways)

Tall residential buildings which contain commercial or other uses on the lower floors (such as offices or shops) are also included in the regulations.

What we need from you:

1. Please respond to the questions at the end of section 2, each part of section 3 and section 4 in an email or separate document and email it back to trbconsultation@gov.je by **Friday 12 September**. There are 21 questions in total, with some being optional
2. If you have additional comments outside the questions asked in this document, please provide them.

Please note that nothing in this document constitutes, and should not be taken as constituting, legal advice.

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Section 1: Describing the issue and the Minister's ambition

Background
Grenfell Tower was a 24-floor tall residential building in London in which a significant fire occurred in 2017 leading to the tragic death of 72 people. The resulting Grenfell Tower inquiry phase 1 report (released in 2019) highlighted a series of fire safety issues that were present at Grenfell Tower, which increased the risk to residents during the fire.

The inquiry made 46 recommendations to the UK Government aimed at improving resident safety in future fires within tall residential buildings. As a result, the UK Government created a law called The Fire Safety (England) Regulations 2022[1] (the "English regulations"), which turned some of the key fire safety recommendations into legal requirements for building owners and managers.

The requirements of the English regulations are logical and designed to ensure 3 main things in tall residential buildings:

1. key fire safety features such as self-closing doors and fire and rescue service lifts are regularly checked to ensure they are working effectively and any issues are quickly resolved
2. residents are provided adequate information about what to do in the event of a fire and how to look after any self-closing doors designed to stop the spread of fire
3. UK fire and rescue services have the best possible information about the layout of the building and its surrounds to help them quickly and effectively tackle a fire and bring it under control

Jersey's position and the issue
The Minister has not yet followed England in introducing regulations to require certain fire safety recommendations from the Grenfell Tower inquiry phase 1 to be implemented in tall residential buildings. However, since the introduction of the regulations in England, the fire and rescue service has been working closely with property managers and building owner groups in Jersey to implement the requirements on a voluntary basis in their buildings.

Throughout this work, it has been clear that fire safety responsibilities are taken seriously. Approximately 19% of Jersey's tall residential buildings are estimated to be closely meeting the English requirements, with some others partially achieving them. However, the fact that the requirements are currently voluntary risks investment and time being de-prioritised in favour of other areas.

While there has been no suggestive evidence of excessive fire risk, Jersey's tall residential buildings as a group are now at risk of falling behind similar buildings in England in 3 areas:

1. the frequency of routine checks taking place on key fire safety features
2. the provision of fire safety instructions to residents
3. the quality of information provided to the fire and rescue service to help them tackle fires in tall residential buildings where risk and complexity can be higher

While Jersey's building byelaws will have ensured tall residential buildings are built to appropriate fire safety standards, there is no law that requires these buildings to manage and maintain their fire safety measures once they are occupied. This situation does not provide residents of the more than 125 tall residential buildings in Jersey with reassurance that the learnings from the Grenfell Tower inquiry are being implemented in their building or that key fire safety features are being managed or maintained.

[1] https://www.legislation.gov.uk/uksi/2022/547/contents/made

The Minister's Ambition

The Minister for Justice and Home Affairs wants to follow England by adopting regulations that will make some of the recommendations from the Grenfell Tower inquiry phase 1 report mandatory for tall residential buildings. These relate to ongoing checks of key fire safety features, resolving issues and the provision of fire safety information to residents and the fire and rescue service.

While the requirements will largely mirror the English regulations, they will also be slightly adapted to make them more appropriate for Jersey and better align with key insights gained during informal discussions. The Minister's key aim is to ensure the requirements are proportionate and achievable without placing an undue burden on residents, building owners and managers and the fire and rescue service. The differences from the English regulations and rationale are listed in appendix 1.

The Minister wishes to consider the responses to the consultation before finalising the proposed regulations. It is hoped to take the Regulations to the States Assembly for debate at the end of 2025 or start of 2026. If approved, there would be a significant period before the regulations commence to allow building owners and managers and the fire and rescue service to be ready.

Jersey's regulations will aim to provide continued confidence to all residents of tall residential buildings. They aim to ensure consistency and are considered a reasonable and responsible step in the light of the findings of the Grenfell Tower inquiry. They are also a logical first step in requiring tall residential buildings to manage and maintain their fire safety measures.

As in England, Jersey's regulations will not implement all the Grenfell Tower inquiry phase 1 report recommendations. Instead, they seek to deliver key recommendations related to building fire safety where regulation is considered the best response. The regulations form part of a wider piece of ongoing work to address the full set of phase 1 recommendations. Appendix 2 demonstrates which recommendations the regulations will address and how other recommendations are being worked on.

Concise summary of the proposed regulations

Section 3 provides the full details of each requirement.

Requirement 1: Floor and building plans

"The Responsible Person for every tall residential building will be required to prepare floor and building plans, including showing the location of firefighting facilities and sharing these plans electronically with the fire and rescue service."

Requirement 2: Secure information box

"The Responsible Person for every tall residential building will be required to install a secure information box, which includes floor and building plans and details of key facilities and equipment used by the fire and rescue service."

Requirement 3: Lifts and key firefighting equipment

"The Responsible Person for every tall residential building will be required to conduct quarterly inspections of Lifts & key Firefighting Equipment* where this equipment is present

Requirement 4: Internal signage (wayfinding signage)

"The Responsible Person for every tall residential building will be required to install wayfinding signage to assist both residents and the fire and rescue service in the event of fire."

Requirement 5: Information to residents
"The Responsible Person for every tall residential building will be required to provide residents with fire safety information on their building"

Requirement 6: Fire door checks
"The Responsible Person for every tall residential building will be required to undertake inspections of communal fire doors every 3 months and rectify any faults"

"The Responsible Person will be required to use "best endeavours" to undertake inspections of individual flat entrance doors every 12 months and rectify any faults"

Note – defining who is responsible for flat entrance doors is complex. The 'fire door' section of section 3 provides guidance on this.

Requirement 7: Improvement of existing key firefighting equipment*
"Where there is an absence of key firefighting equipment that creates significant and quantifiable risk to residents and firefighters, the Responsible Person for every tall residential building will be required to implement proportionate risk-based improvements"

*Key firefighting equipment includes:

- Inlets and outlets for dry rising mains. These are the vertical pipes with outlets on every floor, which the fire and rescue service use to supply water for tackling fires. The inlet is on the outside of the building at ground floor, with outlets in the lobbies or stairs on every floor.
- Inlets and outlets for wet rising mains. These are the same as dry rising mains but already have water within them. These are less common than dry rising mains.
- Smoke control systems. These are systems which remove smoke from the communal areas of buildings such as the corridor or stairs in the event of a fire. Automatic opening vents (AOV's) are a typical example of this.
- Fire suppression systems. These are systems designed to suppress a fire automatically if one occurs. Sprinklers are the most common example.
- Evacuation alert systems. These are not yet common in Jersey. It is a type of fire alert system which allows the fire and rescue service to initiate the evacuation of tall residential buildings in an emergency.

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Section 2: Who will be responsible for meeting the new requirements in tall residential buildings

The Responsible Person
Jersey fire safety Laws and Regulations refer to the "Responsible Person" as the individual(s) or body of persons corporate or unincorporated (an "entity"), which has the ultimate duty to comply with fire safety legislation. Whilst this section aims to assist in the identification of the Responsible Person, each situation will be unique and the property owner(s) whether individual(s) or an entity may require independent legal advice to identify the Responsible Person for the purposes of the proposed regulations for tall residential buildings.

Defining the Responsible Person in tall residential buildings will be based on how the building is owned and the arrangements the building owners have in place for managing the maintenance and upkeep of the overall building, as well as the communal areas such as corridors, lifts and entrance halls. The three most common ownership scenarios are:

1. the building is owned by an individual or entity and all flats within it are rented, for example, housing providers

2. the building comprises flats where the building is owned by a company, commonly known as share transfer flats, with ownership of shares in the company providing exclusive rights of occupation of a flat and shared areas, as provided for in the company's articles of association

3. the building comprises flats where the building is owned by an association, commonly known as flying freehold flats, with ownership of a private unit and an interest in the common parts (a share), as provided for in the association's declaration of co-ownership

In the case of 2 or 3 above, the articles of association and/or the co-ownership declaration set out the owners' responsibilities for managing and maintaining the building's overall structure and communal areas, as well as the individual flat owners responsibilities in relation to their own flats.

Most requirements of the Jersey regulations will relate to the communal areas in tall residential buildings. In articles of association or declarations of co-ownership, responsibility for the maintenance of the communal areas will be identified and may be the collective responsibility of all owners.

Groups of co-owners, whether share transfer or flying freehold flats may have delegated their responsibilities for maintaining the overall building and communal areas to professional property management companies. Where a property manager is contracted to manage the communal areas, they may be considered the Responsible Person under the regulations for the requirements in these areas. However, this will always be subject to the terms of the contract between the entity and the property manager.

For example, if a property manager found that a communal fire door was missing a self-closing device during a 3 monthly check, but the co-owners refused to fund the replacement, then the group of co-owners may be considered the Responsible Person in relation to replacing the missing self-closing device.

12 monthly checks on individual flat entrance doors

This area is more complex and is covered under the 'Fire door' section in section 3 of this document

Where commercial premises form part of a tall residential building and there are multiple Responsible Persons, the regulations will require cooperation and coordination between the Responsible Persons where necessary. One example where this will be required is the production of floor plans (see section 3). Further detailed guidance would be published in advance of the regulations coming into force.

Questions:

1. Did you find this section useful in helping to define the Responsible Person? If not, please explain your answer
2. Do you have any additional concerns, questions or ideas in relation to the Responsible Person?

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Section 3: The Requirements of each regulation in detail and consultation questions

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Requirement 1: Floor plans and a building plan

The Grenfell Tower inquiry recommendation

Recommendation 33.12a: "*That the owner and manager of every high-rise residential building be required by law to provide their local fire and rescue services with up-to-date plans in both paper and electronic form for every floor of the building, identifying the location of key fire safety systems."*

What is the proposed requirement in the Jersey regulations?

The Responsible Person will be required to provide accurate floor plans and a building plan to the fire and rescue service in electronic format. These plans should be simple and contain basic information described in the sections below. The Minister will model Jersey's guidance on National codes of practice.[2] Given that the layout of tall residential buildings in jersey is varied and complex, the plans not only help crews in emergency situations, but also assist them to learn about your building under non-emergency situations so they are better prepared should an emergency occur.

The electronic copy will be submitted to the fire and rescue service. The paper copy must be placed in the secure information box described in the next part of this section. The reason for the 2 copies is to ensure there is paper back up if the electronic version fails. The paper copy is also extremely useful to operational firefighters and incident command during a fire.

The floor plans and the building plan are 2 separate pieces of work and the requirements of each are detailed below:

Floor plans
The floor plans help the fire and rescue service know the layout of each floor to help them predict how the fire will behave, where residents are located in relation to escape routes and where the key firefighting equipment such as smoke ventilation, dry rising mains outlets and lifts are located.

The formal requirements of the law for floor plans will be as follows:

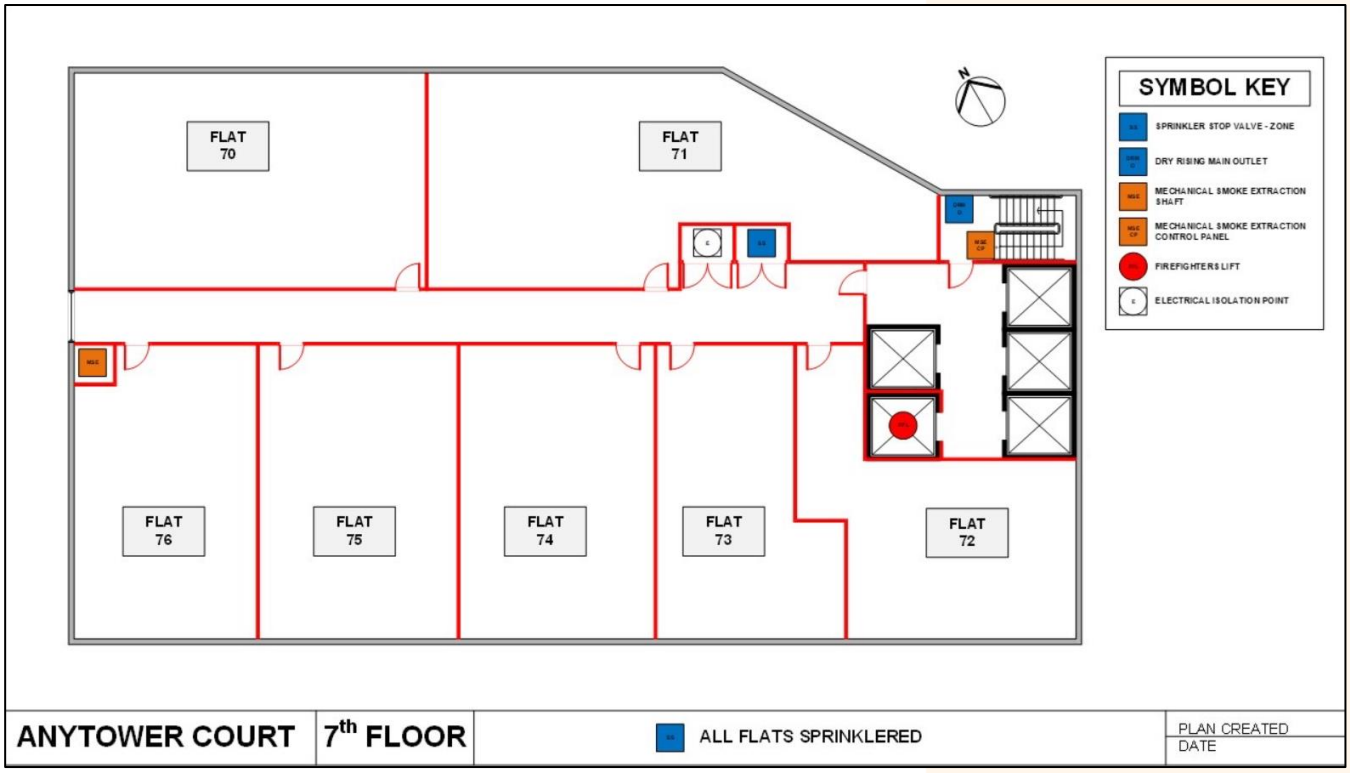
1. the Responsible Person must prepare a plan for each floor of the building
2. the floor plans must, together, identify:
   (a) the location of all lifts
   (b) the location of lifts for the use of firefighters and any evacuation lifts (if you have them)
   (c) the key firefighting equipment* present on the floor
3. Where floor layouts and the location of key firefighting equipment are the same on different floors, one plan can be provided for those floors. It must be clearly highlighted all the floors it relates to. Separate floor plans must be produced for floors with different layouts.

*Key firefighting equipment includes inlets and outlets for dry and wet rising mains (the vertical pipework and outlets used to supply water for firefighting), smoke control systems (e.g. automatic opening vents) and fire suppression systems such as sprinklers

Diagram 1 shows an example floor plan. Simplicity is key. More detailed guidance would be published in advance of the Regulations coming into force.

[2] https://nfcc.org.uk/wp-content/uploads/2023/08/PIBS_Guide_06-21_V2.pdf

Diagram 1: Example floor plan (example is illustrative only. The symbols should be replaced with those shown in diagram 3)



Source: https://www.essex-fire.gov.uk/floor-and-building-plans

Building plan

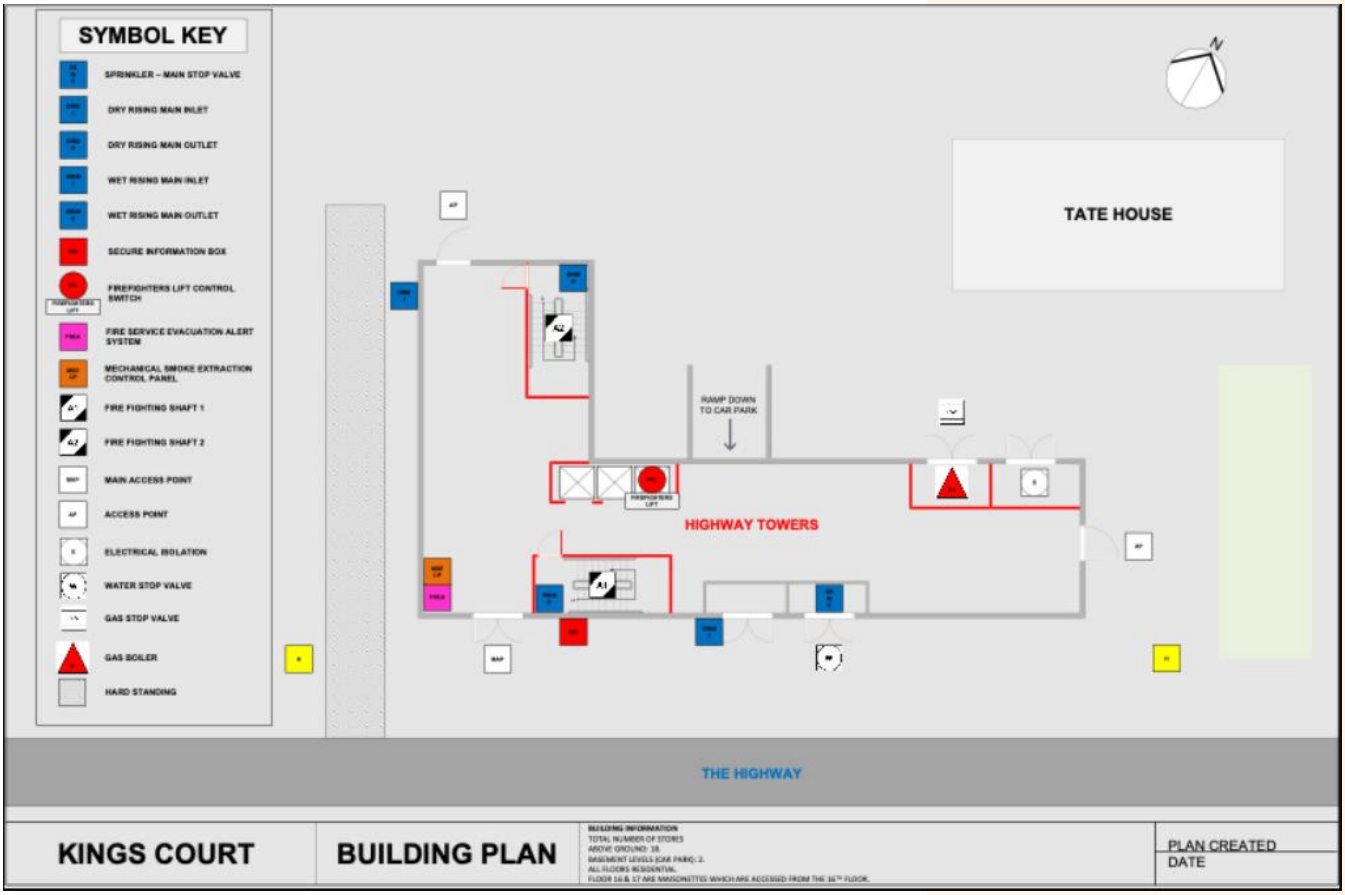
The building plan helps the fire and rescue service get a better overview of the building and its dimensions. It helps them know where the fire engine should park on arrival, where the inlet is to pump water up to the upper floors through the rising mains, the location of the secure information box, the location of smoke controls, firefighting shafts, access points and many other pieces of information that are essential in tackling a fire. Diagram 2 shows an example building plan. More detailed guidance would be published in advance of the Regulations coming into force.

The features that must be identified in the single-page building plan are:

a. the immediate surrounds of the building;
b. details of other uses of the building such as commercial
c. access for fire engines
d. the dimensions of the building
e. information on the number of storeys of the building and the number of basement levels (if any)
f. information regarding the presence of maisonettes (homes within the block with 2 stories) or scissor section flats (flats containing half sets of stairs)
g. inlets for dry-rising mains
h. inlets for wet-rising mains
i. the location of shut-off controls for any sprinklers
j. access points for the building
k. the location of the secure information box (see the section on this lower down)
l. control panels (fire detection, smoke or ventilation, etc.)

m. the location of any firefighting shaft (this is a shaft with a lobby, stairs and a lift specifically designed for firefighters and separate from the resident's staircase)
n. the location of the main stairways in the building
o. the location of the controls for any evacuation alert system (these are rare in Jersey)

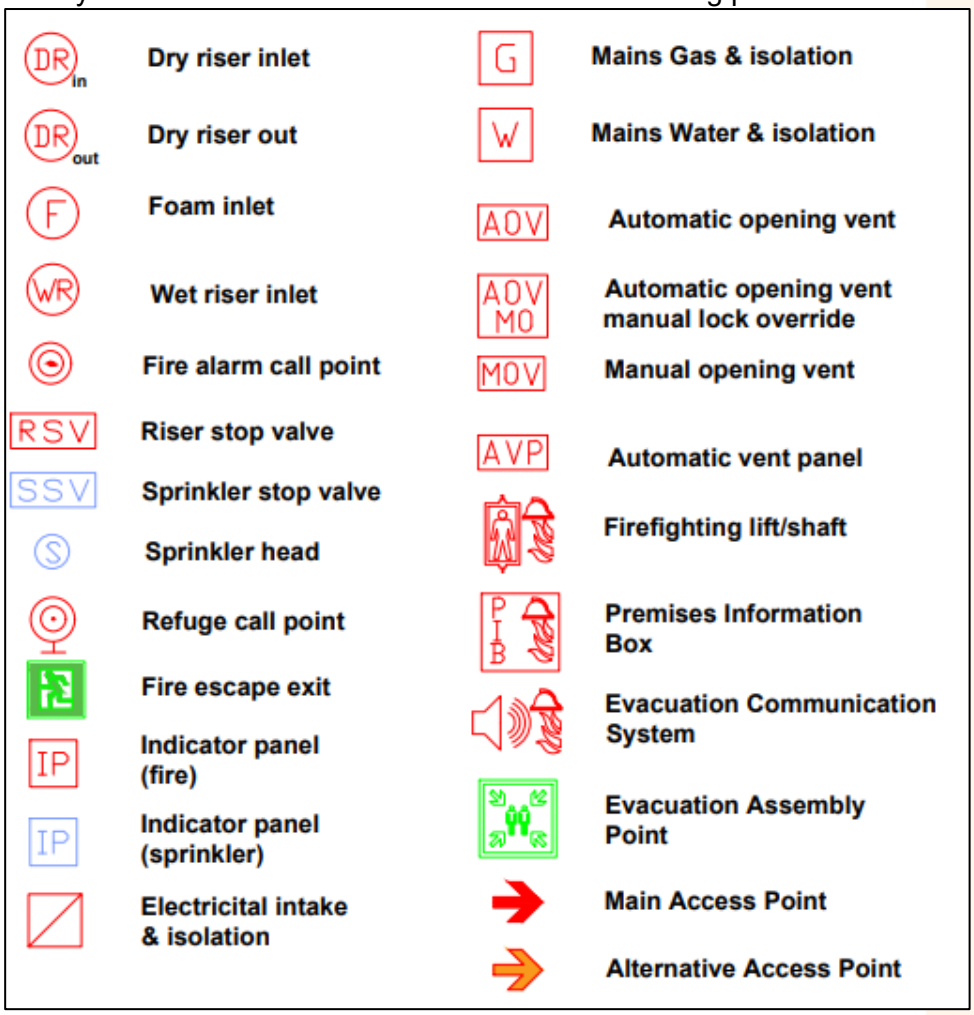
Diagram 2: Example building plan (example is illustrative only. The symbols should be replaced with those shown in diagram 3)



Source: https://www.essex-fire.gov.uk/floor-and-building-plans

Diagram 3: Symbols to use in floor and building plans

The symbols below should be used in floor and building plans.



How can these requirements be achieved?

The Responsible Person should:

1. Check what plans they already have. Some tall residential buildings already have these plans. It may also be possible to access plans through the planning and building register[3] if they were submitted in 2001 or after. The timescales for receiving these will vary.
2. Compare the plans with the examples shown in diagrams 1 and 2. Check if they contain the requirements listed above each diagram. Diagrams that are more complex than the examples may not be accepted. The fire and rescue service can be contacted to check the suitability of plans at firesafety@gov.je.
3. Where plans do not exist or are not suitable, the Responsible Person should consider how they will achieve these plans. Although the required plans are basic, they are best done by someone with experience in producing plans who can work accurately. Jersey has a range of businesses who can produce the plans including architects and other planning and building services companies or sole traders. It is recommended to search online and obtain several

[3] https://www.gov.je/citizen/planning/pages/planning.aspx

quotes for this work. Any plans you already have are likely to be useful to the person or company you choose to complete this work for you.

What impact could this requirement have?

Benefits: From a positive perspective it will provide reassurance to the Responsible Person and residents that everything possible has been done to help the fire and rescue service know the layout of the building. This will increase the chances of firefighters carrying out effective operations in a fire incident.

Challenges: If the Responsible Person does not have appropriate floor or building plans there is likely to be a cost incurred to have them produced. However, this is likely to be a one-off cost to meet the requirement, after which changes to plans are only required if there is a change to the building that affects the plans.

The UK Government's impact assessment[4] estimated the plans could cost between £350 if the building already has reasonable plans and just needs to adapt them to the requirements up to £4,700 if the building has no previous plans. Although detailed analysis has not yet taken place in Jersey, the limited examples seen have fallen within this range or slightly higher.

The availability of sufficient professionals to complete the work will be monitored over time and where concerns arise, the Minister will seek to take a pragmatic approach.

Who is responsible for complying with this regulation?

This regulation relates to the whole building and therefore is likely to be the responsibility of the building owners. However, if a property manager is in place, this task may be delegated to them if it is in accordance with their contract with the building owners. Building owners and property managers should check their contracts to confirm this.

Questions

1. Do you agree that the requirement to produce floor plans and a single page building plan to help the fire and rescue service in the event of a fire is fair and reasonable? If 'no' please explain your answer.
2. Do you have any additional concerns, questions or ideas in relation to this requirement?

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[4] https://www.legislation.gov.uk/ukia/2022/44/pdfs/ukia_20220044_en.pdf (P15)

Requirement 2: Secure information box

The Grenfell Tower inquiry recommendation

Recommendation 33.12b: *"That the owner and manager of every high-rise residential building be required by law to ensure that the building contains a secure information box, the contents of which must include a copy of the up-to-date floor plans and information about the nature of any lift intended for use by the fire and rescue services."*

What is the proposed requirement in the Jersey regulations?

In line with the recommendation, the Responsible Person will be required to provide a secure information box in a secure location in or on the building and ensure the fire and rescue service is able to access it. The box should be installed in a location readily identifiable and accessible by the fire and rescue service on their arrival

The box must contain

- two A3 laminated copies of the single page building plan
- two A3 laminated copies of each floor plan
- the name and contact details of the Responsible Person within Jersey. This allows the fire and rescue service instant contact with someone with day-to-day working knowledge of the building
- the name and contact details of any other person with access to the building that the Responsible Person considers appropriate. This might be a person who looks after a particular part or feature of the building.

The Responsible Person must inspect the secure information box every 12 months to ensure it contains the required information, it is accurate and secure. Where floor and building plans change, new copies of these must be placed in the secure information box and shared with the fire and rescue service and old copies removed.

Presently approximately 24% of tall buildings are already complying with this requirement. Local suppliers of this type of box are present in Jersey. Diagram 4 shows an example of an acceptable box and location.

Diagram 4: Secure information box (with standard fire and rescue service key)

Source: unknown

What impact could this requirement have?

Benefits: Accessing the secure information box and electronic plans will be hugely beneficial to the fire and rescue service in the event of a fire and will support the effective planning and execution of firefighting operations.

Challenges: A standard suitable secure information box is estimated to cost between £200 and £350. The UK Government's impact assessment[5] used £350 as the central estimate for the cost of the box with an additional £70 installation cost. Although detailed analysis has not yet taken place in Jersey, no evidence has been obtained to suggest these costs will be materially different. The expected life span of the box will vary by manufacturer, but one box should last a considerable number of years, making the expense one off.

Who is responsible for complying with this regulation?

This regulation relates to a communal part of the building and therefore is likely to be the responsibility of the building owners. However, if a property manager is in place, this task may be delegated to them if it is in accordance with their contract with the building owners. Building owners and property managers should check their contracts to confirm this.

Questions

1. Do you agree that the requirement to provide a secure information box and its contents is fair and reasonable? If 'no' please explain your answer.
2. Do you have any additional concerns, questions or ideas in relation to this requirement?

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[5] https://www.legislation.gov.uk/ukia/2022/44/pdfs/ukia_20220044_en.pdf (P16)

Requirement 3: Lifts for use by Firefighters (firefighting lifts) and key firefighting equipment

The Grenfell Tower inquiry recommendation

Recommendation 33.13a: "*The owner and manager of every high-rise residential building should be required by law to carry out regular inspections of any lifts that are designed to be used by firefighters in an emergency and to report the results of such inspections to their local fire and rescue service at monthly intervals."*

Recommendation 33.13b: *"That the owner and manager of every high-rise residential building be required by law to carry out regular tests of the mechanism which allows firefighters to take control of the lifts and to inform their local fire and rescue service at monthly intervals that they have done so."*

What is the proposed requirement in the Jersey regulations?

Firefighting lifts

Definition: Firefighting lifts are different to normal passenger lifts. They are also referred to as Fireman's lifts. While they are typically used by residents, in an emergency, they have a control panel which allows the fire and rescue service to take control of the lift. Once the fire and rescue service takes control of the lift, it will return to the ground floor and prevent residents from calling it to any other floor. Approximately 25% of tall residential buildings in Jersey have this type of lift.

Requirement: The law will require that Firefighting lifts be checked every 3 months by the Responsible Person and for any faults that cannot be rectified within 24 hours to be reported to the fire and rescue service by electronic means. The Responsible Person should also notify the fire and rescue service once the fault has been rectified and the lift is back working again.

In England, the requirement is monthly checks. The reason for increasing the period to 3 monthly in Jersey is to reduce cost to the Responsible Person and residents, while remaining proportionate. The rationale is explained in more detail in appendix 1.

Who can carry out the check? These checks are designed to be simple so they can be carried out by a non-specialist: The check must include the following tests.

1. test the Firefighter switch to ensure the lift returns to the fire and rescue service access level
2. test that once at the fire and rescue service access level, the lift can only be operated by the controls within the lift
3. test that the controls can take the lift to an upper floor and that the doors can be opened and closed from within the lift
4. test by means of a random check that the lift cannot be called from an upper floor by residents using the lift call button. You could test a different floor each time.

A written record of these 3 monthly test must be made and the Responsible Person is required to make these records accessible to residents on request. The fire and rescue service will provide clear guidance on how to carry out the checks.

These tests are designed to be in addition to the formal servicing and maintenance schedules of the Firefighting lift. However, the requirement to undertake these checks can be completed as part of the programmed formal servicing and maintenance inspections.

If you have your Firefighter lift serviced/maintained by a professional on a 3 monthly or 6 monthly basis, they may already carry out these checks. If the service involves the checks and happens every 6 months, the Responsible Person will only need to ensure they carry out the two additional 3 monthly checks each year in between the professional visits.

If a fault is found with a Firefighting lift and it cannot be rectified within 24 hours, the Responsible Person must let the fire and rescue service know through an online tool which is currently being developed and will be available when this requirement comes in.

Key firefighting equipment

Definition: Key firefighting equipment means equipment provided in the communal areas of buildings to help Firefighters fight fires and important safety features and facilities within the building. It includes:

- Inlets and outlets for dry rising mains. These are the vertical pipes which run from the ground floor of the building to all other floors. The fire and rescue service attaches their hose to this, then turn the water on to provide water to tackle fires on all floors. The inlet is on the ground floor and the outlets are on all other floors.
- Inlets and outlets for wet rising mains. These are the same as dry rising mains but already have water within them. These are less common than dry rising mains.
- Smoke control systems. These are systems which remove smoke from the communal areas of buildings such as the corridor or stairs in the event of a fire. Automatic opening vents (AOV's) are a typical example of this.
- Fire suppression systems. These are systems designed to suppress a fire automatically if one occurs. Sprinklers are the most common example.
- Evacuation alert systems. These are not common in Jersey. It is a type of fire alert system which allows the Fire and rescue service to initiate the evacuation of tall residential buildings in an emergency.

While the requirement to regularly check key firefighting equipment was not a recommendation from the Grenfell Tower inquiry, the UK Government added this requirement to the English regulations after strong support for it during public consultation.

The Jersey regulations intend to follow the UK Government approach and will require tests (1) to (4) listed below to be carried out every 3 months by the Responsible Person.

1. *Dry and wet rising mains*: a visual check to ensure that the inlet (on the ground floor) and the landing valves of rising mains on each floor are undamaged and have not been subject to interference
2. *Fire suppression systems such as sprinklers*: a visual check to ensure that the control valves are undamaged and have not been subject to interference
3. *Smoke control systems such as automatic opening vents (AOV's):* A check to ensure that the systems activate on operation of:
   a. The associated smoke detectors in the communal corridors
   b. The manual controls provided in the communal corridors for the use of the fire and rescue service

   the Responsible Person should rotate the zones that are tested every 3 months
4. Evacuation alert systems: a visual check to ensure that the control equipment is undamaged and has not been subject to interference

A written record of these 3 monthly test must be made and the Responsible Person is required to make these records accessible to residents on request. The fire and rescue service will provide clear guidance on how to carry out each check.

In England, monthly tests are required. Increasing the timescale to 3 months in Jersey is intended to reduce costs for the Responsible Person and residents, while remaining proportionate. The rationale is explained more in appendix 1.

Who can carry out the check: For the visual inspections of the dry and wet rising mains, fire suppression systems and evacuation alert systems (where present) these tests are designed to be carried out by a non-specialist and could be carried out by the Responsible Person or a member of their team. Because of the specialised nature of testing smoke control systems, it is recommended that this testing is carried out by specialists who will have the correct equipment to carry out the task.

These tests are designed to be in addition to the formal servicing and maintenance schedules of the key firefighting equipment. However, the requirement to undertake these checks can be completed as part of the programmed formal servicing and maintenance inspections.

If a fault is found with any key firefighting equipment and it cannot be rectified within 24 hours, the Responsible Person must let the fire and rescue service know through an online tool which is currently being developed and will be available when this requirement comes in.

What steps should the Responsible Person take to assess if they currently comply?
The Responsible Person should consider whether they have lifts and the key firefighting facilities described in this section. Where they do, they should consider whether they or the professionals that service these items already carry out any of the required checks and if so, how frequently. The Responsible Person should consider how they will keep records of the checks.

What impact is this likely to have?

Benefits: Firefighting lifts and key firefighting equipment will now be required to be checked more regularly, helping to quickly identify faults and increase the chances the lift will work effectively in a fire, providing reassurance to residents.

Challenges: The Responsible Person will incur time cost to carry out and record these quarterly tests and checks. The UK Government's impact assessment[6] estimated that the requirements of this regulation would take the Responsible Person between 15 and 45 minutes with a central estimate of 30 minutes. This equates to 2 hours annually. In England where monthly testing and recording is required, the time cost to Responsible Persons is 6 hours. This represents a 4-hour time saving in Jersey.

Financial costs are possible if these checks are outsourced to a professional company or added to the current service tasks. However, the Responsible Person should first check if the professionals carry out this test already. Changing the requirement from monthly to 3 monthly will reduce the costs incurred by those who choose to outsource.

The UK Government's impact assessment[6] also estimated that reporting faults with firefighting lifts and key firefighting equipment to the fire and rescue service may take between 15 and 45 minutes. However, their assessment estimates that faults are only likely to occur in approximately 15% of

[6] https://www.legislation.gov.uk/ukia/2022/44/pdfs/ukia_20220044_en.pdf (P17 and 18)

buildings in year one, falling to 5% of buildings in subsequent years. This means the time cost is not expected to be incurred by the majority of Responsible Persons.

Who is responsible for complying with this regulation?

This regulation relates to communal parts of the building and therefore is likely to be the responsibility of the building owners. However, if a property manager is in place, this task may be delegated to them if it is in accordance with their contract with the building owners. Building owners and property managers should check their contracts to confirm this.

Questions

1. Do you think the requirement to carry out tests on firefighting lifts and inspect key firefighting equipment (if you have it) is fair and reasonable? If 'no' please explain your answer
2. Do you agree with the checks being 3 monthly in Jersey rather than every month as is the case in England? Please explain your answer
3. Do you have any additional concerns, questions or ideas in relation to this requirement?

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Requirement 4: Wayfinding signage

The Grenfell Tower inquiry recommendation

Recommendation 33.27: *"That in all high-rise buildings, floor numbers be clearly marked on each landing within the stairways and in a prominent place in all lobbies in such a way as to be visible both in normal conditions and in low lighting or smoky conditions."*

What is the proposed requirement in the Jersey regulations?

Definition: Wayfinding signage is found within a tall residential building and helps the fire and rescue service know what floor they are on and what flats are on that floor to help them navigate during a fire.

In line with the recommendation, tall residential buildings will be required to have wayfinding signage placed in clear and obvious positions in the following 2 places

1. on every landing of every floor in the protected stairway
2. in every lobby or corridor into which a firefighting lift arrives (if one is present)

The benefit of these signs is that they help fire and rescue service personnel navigate the building even when visibility is low and understand exactly where each flat is to improve their management of the situation. Diagram 5 provides an example

Diagram 5: An example of wayfinding signage (for illustrative purposes only)

Source: unknown

Multiple tall residential buildings in Jersey are already fully or partly complying with this requirement. Wayfinding signage should be designed in accordance with pages 106 and 107 of the UK's Approved Document B[7]. This is set out below:

[7] https://assets.publishing.service.gov.uk/media/67d02386f5aaff610c9f5f06/Approved_Document_B__fire_safety__volume_1_-_Dwellings__2019_edition_incorporating_2020_and_2022_amendments.pdf

Wayfinding signage information for the fire and rescue service (taken from Approved Document B)

To assist the fire and rescue service to identify each floor in a block of flats with a top storey more than 11m above ground level floor identification signs and flat indicator signs should be provided. The floor identification signs should meet all the following conditions.

a. The signs should be located on every landing of a protected stairway and every protected corridor/lobby (or open access balcony) into which a firefighting lift opens.
b. The text should be in sans serif typeface with a letter height of at least 50mm. The height of the numeral that designates the floor number should be at least 75mm.
c. The signs should be visible from the top step of a firefighting stair and, where possible, from inside a firefighting lift when the lift car doors open.
d. The signs should be mounted between 1.7m and 2m above floor level and, as far as practicable, all the signs should be mounted at the same height.
e. The text should be on a contrasting background, easily legible and readable in low level lighting conditions or when illuminated with a torch.

The wording used on each floor identification sign should take the form Floor X, with X designating the number of the storey, as intended for reference by residents. The floor number designations should meet all the following conditions.

a. The floor closest to the mean ground level should be designated as either Floor 0 or Ground Floor.
b. Each floor above the ground floor should be numbered sequentially beginning with Floor 1
c. A lower ground floor should be designated as either Floor –1 or Lower Ground Floor
d. Each floor below the ground floor should be numbered sequentially beginning with Floor –1 or Basement

All floor identification signs should be supplemented by flat indicator signs, which provide information relating to the flats accessed on each storey. The flat indicator signs should meet all the following conditions:

a. The signs should be sited immediately below the floor identification signs, such that the top edge of the sign is no more than 50mm below the bottom edge of the floor identification sign
b. The wording should take the form Flats X–Y, with the lowest flat number first
c. The text should be in sans serif typeface with a letter height of at least half that of the floor indicator sign
d. The wording should be supplemented by arrows when flats are in more than one direction
e. The text and arrows should be on a contrasting background, easily legible and readable in low level lighting conditions or when illuminated with a torch.

What impact could this requirement have?

Benefits: This requirement will support the ease of navigation of the building in low light and smoke. If firefighters become disorientated, it will help them to quickly re-orientate themselves, allowing them to move quickly to where they are required to tackle the fire and safeguard residents.

Challenges: For those buildings that do not have wayfinding signage, the signs will represent a cost for the Responsible Person. The UK Government's impact assessment[8] analysed the cost of supply and installation of each required sign to be between £42.47 and £98.64 per sign. However, no detailed analysis has yet taken place in Jersey and costs may vary above this range.

[8] https://www.legislation.gov.uk/ukia/2022/44/pdfs/ukia_20220044_en.pdf (p23)

Who is responsible for complying with this regulation?

This regulation relates to the communal areas of the building and therefore is likely to be the responsibility of the building owners. However, if a property manager is in place, this task may be delegated to them if it is in accordance with their contract with the building owners. Building owners and property managers should check their contracts to confirm this.

Questions

1. Do you think the wayfinding signage requirements are fair and reasonable? If 'no' please explain your answer.
2. Do you have any additional concerns, questions or ideas in relation to this requirement?

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Requirement 5: Information to residents

The Grenfell Tower inquiry recommendation

Recommendation 33.28: *"That the owner and manager of every residential building containing separate dwellings (whether or not it is a high-rise building) be required by law to provide fire safety instructions (including instructions for evacuation) in a form that the occupants of the building can reasonably be expected to understand, taking into account the nature of the building and their knowledge of the occupants."*

What is the proposed requirement in the Jersey regulations?

This part of the law will require that fire safety information be provided to all residents of tall residential buildings by the Responsible Person. The aim of this information is to help residents clearly understand what they should do in the event of a fire to maximise their safety.

The information should be clear and basic and must contain instructions covering the following 4 points:

1. how to report a fire
2. what the evacuation strategy for the building is (for example 'stay put')
3. instructions telling residents what they must do when a fire has occurred based on the building's evacuation strategy
4. fire door information. This should include:

- fire doors should be shut when not in use
- residents and their guests should not tamper with self-closing devices on fire doors (including their flat entrance door)
- residents should report any fault with or damage to fire doors immediately to the Responsible Person

Diagram 6 provides a good example of how points (1) to (3) above can be achieved. The information about fire doors could be sent in a separate document.

This information is required to be provided to residents in 2 ways:

1. in an obvious place in the building's communal area (for example the lobby)
2. provided directly to residents

The information must be provided at the following times:

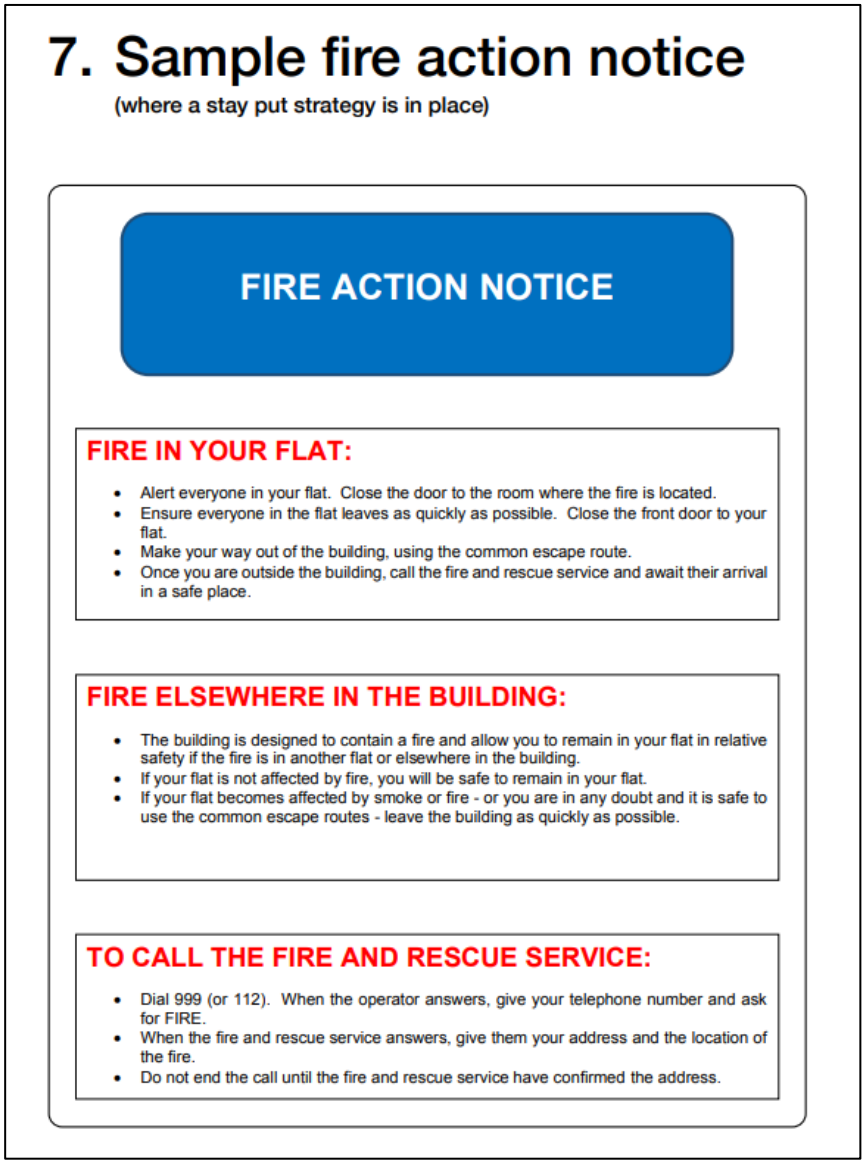
1. directly to new residents when they move in
2. to all residents and in the communal areas whenever there is a change to the building that causes the instructions to change.
3. to all residents every 12 months. Although this may just be providing the same information again, the purpose is to keep the information in residents minds

The Responsible Person should also consider the following:

- information can be sent to residents by any means provided it can be understood. Email is acceptable provided there is a method to validate that the address is accurate
- If the flat is rented out by an owner occupier, consideration should be given about how the information is forwarded to the person(s) who are renting the flat as it is essential that they receive it.

- It is important to ensure that residents can understand the fire safety instructions. The regulations will not require translated instructions to be available, but building owners and managers should consider this as part of their resident engagement strategy.
- Some tall residential buildings already have resident handbooks which contain a variety of health and safety information. This may contain fire safety information. The Responsible Person should consider the information currently provided to residents both individually and in communal areas and compare it with the information required in this section to assess what else they require.

Diagram 6 example information to residents (illustrative purposes only)



7. Sample fire action notice

(where a stay put strategy is in place)

FIRE ACTION NOTICE

FIRE IN YOUR FLAT:

- Alert everyone in your flat. Close the door to the room where the fire is located.
- Ensure everyone in the flat leaves as quickly as possible. Close the front door to your flat.
- Make your way out of the building, using the common escape route.
- Once you are outside the building, call the fire and rescue service and await their arrival in a safe place.

FIRE ELSEWHERE IN THE BUILDING:

- The building is designed to contain a fire and allow you to remain in your flat in relative safety if the fire is in another flat or elsewhere in the building.
- If your flat is not affected by fire, you will be safe to remain in your flat.
- If your flat becomes affected by smoke or fire - or you are in any doubt and it is safe to use the common escape routes - leave the building as quickly as possible.

TO CALL THE FIRE AND RESCUE SERVICE:

- Dial 999 (or 112). When the operator answers, give your telephone number and ask for FIRE.
- When the fire and rescue service answers, give them your address and the location of the fire.
- Do not end the call until the fire and rescue service have confirmed the address.

What impact is this likely to have?

Benefits*:* The increased flow of information will create more awareness and a higher chance that residents will know how to report a fire and react safely if one occurs in their building. If residents

behave in line with the strategy of the building, it helps the fire and rescue service better know where they are and better manage their response to the fire, saving lives and property.

Challenges: The potential costs resulting from the regulations are split into initial and ongoing costs

Initial costs: These are time costs for the Responsible Person to complete the following 4 tasks:

1. review any current fire safety instructions provided to residents and assess them against the requirements in this section
2. prepare fire safety instructions for communal areas and individual residents
3. send to residents
4. place instructions in a communal area (e.g. entrance hall)

The UK Government's impact assessment[9] states that on average this will take the Responsible Person between 1.5 and 2.5 hours to complete. In Jersey, several Responsible Persons have already made significant efforts to meet this requirement, which will significantly reduce the time cost.

Ongoing costs: These are also time costs and include:

1. re-sending the instructions to residents every 12 months. It is hoped that in time, this can be a relatively quick process for the Responsible Person and be sent with other normal updates
2. sending the instructions to new residents
3. updating fire safety instructions following refurbishment work and re-sending to residents. The UK Government[9] estimate this would take less than the time to prepare the original instructions. They also estimate that only 4%[9] of buildings are likely to need to do this each year. No analysis of this type has yet taken place in Jersey.

Who is responsible for complying with this regulation?

This regulation relates to the whole building and therefore is likely to be the responsibility of the building owners. However, if a property manager is in place, this task may be delegated to them if it is in accordance with their contract with the building owners. Building owners and property managers should check their contracts to confirm this.

What if the owner has rented the flat? Who should provide the information directly to tenants?
Contracts between property managers and building owners may already deal with this. Equally a previous documented decision of the building owners or wording in an ownership document such as a 'declaration of co-ownership' may have already dealt with this issue.

In the absence of anything clear, then a logical start point may be that the Responsible Person for the building is responsible for ensuring that the relevant information is provided to owners of the individual flats. The flat owners must then send the information to their tenants. Whatever is decided, it is important that it is documented to ensure there is clarity.

Questions

1. Do you feel that the proposed instructions to residents are fair and reasonable? If 'no' please explain your answer
2. Do you have any additional concerns, questions or ideas in relation to this requirement?

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[9] https://www.legislation.gov.uk/ukia/2022/44/pdfs/ukia_20220044_en.pdf (p22)

Requirement 6: Fire Doors

The Grenfell Tower inquiry recommendation

Recommendation 33.29b: "*That the owner and manager of every residential building containing separate dwellings (whether or not they are high-rise buildings) be required by law to carry out checks at not less than three-monthly intervals to ensure that all fire doors are fitted with effective self-closing devices in working order*."

The Inquiry[10] found that the absence of effective self-closing devices, some of which were broken or had been disabled or removed allowed smoke and toxic gases to spread through Grenfell Tower more quickly than should have been possible

What is the proposed requirement in the Jersey regulations?

- **Check 1:** 3 monthly checks of fire doors in communal areas
- **Check 2:** 12 monthly checks of flat entrance doors (which should be fire doors)

The Jersey regulations will follow the recommendation and require 3 monthly checks of fire doors in communal areas. Communal doors typically include doors to stairways and stairway lobbies, cross-corridor doors (which sub-divide corridors), doors to storage and electrical equipment cupboards and doors to riser shafts, within which various services run.

However, it will only require flat entrance door checks (which should be fire doors) to be conducted every 12 months. This is the same position that has been adopted in England and is considered a significant improvement in the current position in Jersey where checks of flat entrance doors are not currently required.

Who can do the check? The checks are largely the same for communal fire doors and flat entrance doors. They are designed to be simple and quick and can be conducted by a non–specialist. This could be a Responsible Person, their staff or a flat owner after simple instruction.

What should be checked?

1. the doors are effectively self-closing (or, in the case of cupboard and riser doors, are kept locked shut)
2. the door closes fully into its frame when it is opened at any angle and then released
3. doors, frames and any glazing are undamaged and that any intumescent strips and smoke seals (where provided) are also undamaged. For the avoidance of doubt, this check is not meant to be a full check of the fire door against today's industry standards. It is simply designed to ensure that the door in place is undamaged and self-closing effectively into its frame
4. the original door (which would have been a fire door) has not been replaced with something which is obviously not a fire door

How should the checks be conducted?

- firstly, open the door fully, then let it go
- then open the door to around 15 degrees and let it go

10 https://webarchive.nationalarchives.gov.uk/ukgwa/20250320040117/https://www.grenfelltowerinquiry.org.uk/phase-1-report

- in both cases, the door should fully close into the frame, overcoming the resistance of any latch or friction with the floor
- then you should conduct a visual inspection of the doors, frames, any glazing (if present), intumescent strips (if present) and smoke seals (if present) to check for any clear and obvious damage
- To check if the door looks like it has been replaced from the original and you suspect it might no longer be a fire door, you should investigate this further by reviewing records of the door purchased and finding out more about its level of fire resistance. If you are unable to determine this, you may need to consider engaging the services of a competent person with experience of working with fire doors. If the replacement door is found not to be a fire door, it should be replaced with a fire door that conforms with today's standards.

Detailed guidance would be published before the regulations come into force to support the Responsible Person to conduct these tests

Defects in the doors, frames and self-closing devices should be rectified as soon as reasonably practicable.

Guidance if you suspect a fire door has been damaged or replaced with a non-fire door.
For the avoidance of doubt, these regulations are not intended to make Responsible Persons think they need to replace all their existing fire doors. It is considered likely that most existing fire doors will have been fit for purpose when originally installed.

For most existing fire doors, it will not be practicable to test them to confirm their actual fire resistance. For the purpose of the regulations, original fire doors and glazing, even where intumescent strips and smoke seals are not fitted will normally be acceptable if the following is taken into account:

- the doors should comprise solid material throughout the depth of the door (e.g. 44mm thick solid timber or timber doors with a chipboard or flax board core)
- hollow core doors, and doors fitted with thin panels, are unlikely to provide adequate fire resistance
- doors should be hung with three hinges and close onto substantial doorstops (typically, 25mm). In the case of older doors, the presence of a 25mm stop is usually an indication that the original door and frame were designed to be fire resisting
- any glazing is undamaged, and has not been replaced with non-fire resisting glazing
- any letter box is made from high melting point materials (steel or brass), fitted with letter plates internally and externally, and at least one is sprung loaded
- doors should be in sound condition with no damage, splits and a good fit in a solid frame

Existing timber fire doors can usually be upgraded to improve their fire resistance by, for example, fitting intumescent strips and smoke seals and reducing the gaps around the door leaf.

However, before undertaking such work, you should seek advice on the measures necessary from a competent person experienced in undertaking work on fire doors.

Composite fire doors should not be confused with non-fire resisting uPVC doors, which have no fire resisting core; these types of doors are often fitted in error by flat owners.

Detailed guidance would be published before the regulations come into force to support the Responsible Person in these situations.

Who is responsible for conducting the checks on fire doors and rectifying faults?

3 monthly communal fire door checks

This regulation relates to the communal areas and therefore is likely to be the responsibility of the building owners. However, if a property manager is in place, this task may be delegated to them if it is in accordance with their contract with the building owners. Building owners and property managers should check their contracts to confirm this.

If the task is delegated to property managers, they are only responsible to the extent that their contract and any other relevant documentation dictates. The property manager may be responsible for carrying out the checks, but if, for example, they are refused funding by the building owners to rectify any faults when they request it, then the building owner would become the Responsible Person in relation to rectifying the faults and could be ultimately liable.

12 monthly flat entrance door checks

In tall residential buildings where an individual(s) or entity owns the building and rents out all the flats, this responsibility would fall to the building owner who may delegate the task to a property manager if they have one in place.

In tall residential buildings where flats are individually owned by different people, identifying who is responsible for conducting the 12 monthly flat entrance door checks and rectifying any faults is more complex. Getting this right is essential as flat entrance doors play a critical role in preventing fires from spreading beyond their flat, or communal point, of origin.

Declarations of co-ownership or articles of association may categorise the flat entrance door as either part of the private unit or the communal areas. If they form part of the private unit, the individual flat owner may be responsible for the maintenance and upkeep of it and by extension could conduct the 12 monthly check and rectify any faults.

However, leaving the responsibility for the 12 monthly flat entrance door checks and rectifying faults with the individual flat owner may be detrimental to residents for 3 reasons:

1. there is no oversight that checks of all flat entrance doors are being completed, leaving residents vulnerable if some flat owners are completing the checks and others are not

2. an overview of the status of checks for all flat entrance doors is likely to be more useful for other interested parties such as insurers and the fire and rescue service

3. although the check is designed to be simple and non-specialist, it may be better conducted and recorded by someone carrying them out more regularly. Equally some residents may not feel confident or able to conduct the check.

In share transfer and flying freehold flats, it is recommended that the owners and property managers work together to adopt a proactive whole building approach towards this requirement. There are 3 recommended steps to begin this process:

Step 1: Confirm where responsibility for flat entrance doors currently lies

- assess your current articles of associations or declaration of co-ownership

- what are the current requirements for maintenance and upkeep of flat entrance doors?

- check the contract between property managers and building owners to see whether flat entrance doors feature

After these activities you should have a clear understanding of who has responsibility for the maintenance of flat entrance doors in your building. If you do not, this may be something you wish to clarify in your documentation.

Step 2: Consider how your building will meet the 12 monthly requirement, record that the checks have been done and rectify any faults.

There are 3 options here and it is important for all such owners and property managers to talk about this. These options include:

1. Associations of co-owners or share transfer companies can ask property managers to carry this check out on their behalf. This is a short check estimated to take 3 to 5 minutes, but it involves coordinating access to each flat every 12 months. There may be additional property manager charges due to the extra time requirement.

2. owners can conduct the checks themselves and provide evidence to the property manager for their records, by way of short video evidence for example. Further guidance would be provided on this before the regulations come into force.

3. a blended approach of points (1) and (2) above to account for the differing ability of residents to conduct their checks.

Step 3: Consider how improvements will be funded if required

These checks are not meant to require you to install new doors, but, more likely, to re-instate self-closing devices where they have been removed or fix clear and obvious damage.

Given that flat entrance doors may fall within the definition of the private unit in articles of association and declarations of co-ownership, individual flat owners may be responsible for funding this. However, this will come down to careful analysis of the articles of association or declaration of co-ownership to establish the position.

What impact could this requirement have?

Benefits: This will ensure that both communal fire doors and flat entrance doors (also intended to be fire doors) are regularly checked to ensure they will perform as designed in the event of a fire by providing a solid barrier against fire and self-closing to keep the fire back. These features are designed to prevent the spread of fire and smoke and improve resident safety in the event of fire.

Challenges: The costs of this requirement are:

1. time costs to conduct the communal fire door checks: It is thought that many Responsible Persons are already conducting this type of check and resolving any issues as part of their normal maintenance programme for the common parts of the building. Where they are not, the UK Government's impact assessment[11] estimated that conducting and recording this check would take approximately 3 minutes per door.

[11] https://www.legislation.gov.uk/ukia/2022/44/pdfs/ukia_20220044_en.pdf (P20)

2. time costs to conduct flat entrance door checks: The UK Government estimated that where the checks are conducted by one person on behalf of the whole building it would take approximately 4 minutes to check each door. This includes the time to organise access. If individual flat owners check their own doors and send video evidence to someone coordinating the checks, then this could reduce the check time to 3 minutes.
3. financial costs to fix defects on communal fire doors and flat entrance doors. Given that this is the first time that most tall residential buildings have fallen under a fire safety law, it is difficult to estimate the number of damaged fire doors that will need fixing. The UK Government's impact assessment identified that to replace a faulty or absent self-closing device would cost £106.15, however, no detailed analysis has yet been conducted in Jersey.
4. financial costs to replace flat entrance doors which were originally fire doors, but which have since been replaced by the individual flat owner with a non-fire door. For the same reasons as point 3 above, it is hard to estimate the number of buildings where this would have taken place. Replacing a door for a fire door can be expensive, costing between several hundred and £2,000. This range can increase or decrease depending on the specification of the door and whether fitting the door is included. This figure is highly anecdotal and care should be taken to gain multiple quotes to support value for money considerations.

The Minister considers the benefits of regular fire door checks to significantly outweigh the time and financial costs.

Questions

1. Do you feel that the proposed 3 monthly communal fire door checks are fair and reasonable? If 'no' please explain your answer.
2. Do you feel that the proposed 12 monthly flat entrance door checks are fair and reasonable? If 'no please explain your answer.
3. Do you think that the guidance provided above under *'who is responsible for conducting the 12 monthly flat entrance door check and rectifying faults'* is sufficient to help building owners and property managers determine how they will address this in their buildings?
4. Do you have any additional concerns, questions or ideas in relation to this requirement?

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Requirement 7: Installation or Improvement of key fire-fighting equipment

Definition of 'key firefighting equipment'
Key firefighting equipment means equipment provided in the communal areas of buildings to help firefighters fight fires and important safety features and facilities within the building. It includes:

- Inlets and outlets for dry rising mains. These are the vertical pipes which run from the ground floor of the building to all other floors. The fire and rescue service attaches their hose to this, then turn the water on to provide water to tackle fires on all floors. The inlet is on the ground floor and the outlets are on all other floors
- Inlets and outlets for wet rising mains. These are the same as dry rising mains but already have water within them. These are less common than dry rising mains.
- Smoke control systems. These are systems which remove smoke from the communal areas of buildings such as the corridor or stairs in the event of a fire. Automatic opening vents (AOV's) are a typical example of this.
- Fire suppression systems. These are systems designed to suppress a fire automatically if one occurs. Sprinklers are the most common example.
- Evacuation alert systems. These are not common in Jersey. It is a type of fire alert system which allows the fire and rescue service to initiate the evacuation of tall residential buildings in an emergency.

What were the Grenfell Tower inquiry findings and recommendations?

There was no Grenfell Tower inquiry recommendation that related directly to the provision of key firefighting equipment where it was not currently present in the building.

What is the proposed requirement in the Jersey regulations?

In Jersey, some tall residential buildings do not have the same level of key firefighting equipment as others built later. This is normal as the requirements for new buildings have evolved over time. In addition, there may be some buildings where key firefighting equipment such as smoke control systems may have been changed to the extent that they may no longer work as effectively as they were intended. The vast majority of tall residential buildings have never been subject to Jersey's Fire Safety Laws and so there has been no legal requirement for building owners and managers to maintain the fire safety measures.

Given the limited resources (fire engines and personnel) available to the fire and rescue service in comparison to UK fire and rescue services when tackling fires, the provision of effective key firefighting equipment within buildings is essential to maximise their effectiveness.

In the case of significant risk to residents or firefighters, this part of the law will allow the fire and rescue service to require the Responsible Person to improve the key firefighting equipment or install new equipment to reduce the risk to a tolerable level. Examples of this might include re-instating smoke control in the communal areas where the system that was originally installed has been removed or changed or in rare circumstances, installing a dry riser.

The fire and rescue service would only look to require improvements in situations where these deficiencies and defects create a significant risk to residents and firefighters. The fire and rescue service always seeks to engage with the Responsible Person and articulate the level of risk before requesting any improvements to the key firefighting equipment.

What impact is this likely to have?

The fire and rescue service is unlikely to use this power regularly. They are more likely to work with the building owners and managers on a series of other measures to mitigate the risk to residents. However, where this risk is significant and it cannot be mitigated in other ways, the fire and rescue service can request the improvement or installation of key firefighting equipment.

Benefits: The positive impact is the increased level of safety for residents. Re-instating a smoke control system will ensure that smoke is managed in the communal areas of the tall residential building, reducing the risk to the fire and rescue service and any residents evacuating. Additionally, the improvement or installation of a dry riser where it is required will create significant improvements in the delivery of water to each floor to tackle the fire.

Challenges: The cost of these improvements will depend on the height of the building. Smoke control systems and dry risers can cost thousands of pounds. Because of the significant cost of these improvements, the fire and rescue service will look at all other options and will always first seek to engage with the Responsible Person and articulate the level of risk before requesting improvements.

Who is responsible for complying with this regulation?

In the case of organisations who own the building and rent out all the flats, the organisation is likely to be the Responsible Person

In the event of blocks of flats where separate individuals own the flats, the group of co-owners are likely to be responsible. However, if a property manager is in place, this task may be delegated to them if it is in accordance with their contract with the group of co-owners. Groups of co-owners and property managers should check their contracts to confirm this.

Questions

1. Do you feel that it is fair and reasonable to provide the fire and rescue service with regulatory powers to require improvements to and the installation of key firefighting equipment? Please explain your answer
2. Do you have any additional concerns, questions or ideas in relation to this requirement?

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How the fire and rescue service aim to administer the regulations?

Introduction
The fire and rescue service is authorised by the Minister for Justice and Home Affairs to promote fire safety and enforce fire safety legislation in Jersey. Fire safety regulation is founded on the principles that people should be kept safe in the case of fire, therefore the fire and rescue service will always seek to engage and collaborate with the Responsible Person to maintain and improve fire safety standards.

The fire and rescue service will be available for discussion by phone or by email to support the Responsible Person to meet the requirements under the regulations. They will also provide detailed guidance on their website[12] to help the Responsible Person understand what they need to do.

Inspection
To ensure buildings comply with the regulations, the fire and rescue service will conduct a 'risk based' inspection programme each year. This is where the fire safety team will identify buildings each year which give rise to the highest risk.

This may be due to the building's complexity or information received that has created doubt. Once the regulations are established, the length of time between inspections will also contribute to the risk rating. For example, if a building has not been inspected for an extended period this may increase the likelihood of inspection.

There are over 125 tall residential buildings in Jersey and it is only likely that the fire and rescue service will inspect a small proportion each year. This means that inspections on the same building will occur every few years or more, unless there are grounds for more frequent inspections such as a recent fire incident, other incident, complaint or similar.

The aim of the inspections will be to identify good practice, educate, inform and quickly notify the Responsible Person of any areas requiring improvement against the regulations so they can be resolved in a timely fashion

Enforcement
After an inspection, if it is found that certain parts of the regulations are not being complied with, the fire and rescue service will seek to explain the deficiency and the steps required to resolve it through informal verbal or written guidance. Prosecution is a last resort but is available to ensure the safety of residents where the Responsible Person continually fails to respond to informal verbal or written guidance or for the most serious breaches of the regulations.

Proportionality
The fire and rescue service will apply the principle of proportionality. This means they will take account of how far the Responsible Person has fallen short of the regulations and the extent of the risks created before deciding on the appropriate action. In this context risk is defined as "a source of possible harm, the likelihood of that harm occurring, and the severity of its outcomes[13]."

Questions:

1. Do you think the proposed inspection and enforcement approach is fair and reasonable? If 'no' please explain why

[12] https://jerseyfire.je/your-safety/protection/high-rise-buildings
[13] https://www.hse.gov.uk/building-safety/assets/docs/enforcement-policy.pdf (P6)

2. Do you have any additional concerns, questions or ideas in relation to how the fire and rescue service will administer the regulations?

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Appendix 1: How will the Jersey regulations differ from the English Regulations

Difference 1: Providing information about the design and materials of external walls

The Jersey regulations will not require the Responsible Person to provide information about the design and materials of their external walls of their buildings to the fire and rescue service. The English regulations do require this.

The fire and rescue service is already working in partnership with several Responsible Persons to ensure that critical information is gathered for buildings in case of an incident. It is hoped that over the coming year, this collaborative work will extend to the fire and rescue service, helping to identify the information required by the Grenfell Tower inquiry recommendation on the design and materials of external walls.

Anecdotally in England, this requirement has cost the Responsible Person significant sums of money as many have carried out a 'PAS 9980: Fire Appraisal of Walls and Cladding of flats' review. While this review is an excellent way to discover the required information on the building's external walls and cladding, the Minister hopes to achieve this in a more cost-effective way in Jersey.

This will focus on collaborative work between the Responsible Person and the fire and rescue service and a detailed review of available design documentation.

However, this approach does not rule out a PAS 9980 assessment being required where insufficient information about the design and materials of external walls and cladding is available. This, along with any follow up action required following the assessment would be the responsibility of the Responsible Person for the building in the same way as it is now.

What impact is this likely to have?

Benefits: Removing this requirement from the regulations is aimed at saving money for building owners, managers, and residents, while still achieving the Grenfell Tower inquiry recommendation.

There will be time costs to property managers in collaborating with the fire and rescue service and ensuring appropriate access, but this is considered significantly cheaper than them choosing to conduct a PAS 9980: Fire Appraisal of Walls and Cladding of flats review. Equally it will ensure the work can be conducted more quickly as the availability of competent PAS9980 risk assessors is anecdotally in short supply in England and Jersey.

Challenges: The main impact will be on the fire and rescue service who will need to assign specialist resources to conduct the collaborative work with building owners and managers. However, the cost of this is estimated to be significantly cheaper than buildings commissioning their own PAS 9980 reviews.

Difference 2: Lifts for use by firefighters and key firefighting equipment

The Jersey regulations will differ from the English regulations in 2 ways:

1. In Jersey, checks will be less frequent

The English regulations require monthly checks of firefighting lifts and key firefighting equipment whereas in Jersey, this requirement is proposed to be 3 monthly. There are 3 main reasons for this:

a. Currently all this equipment should be subject to a schedule of professional servicing and maintenance in line with the manufacturer's instructions and industry standards. It was felt that additional monthly checks would create excessive demand on the Responsible Person, which may result in excessive costs being passed down to individual flat owners through the service charge
b. 3 monthly intervals coincide with the communal fire door checks required in a later section of the regulations. Every effort has been made to align these checks to allow the Responsible Person to complete them efficiently. Equally this may better align with the timescales that professionals are conducting the formal maintenance and servicing, allowing more of these tests to be conducted during their visits
c. The intent of the Grenfell Tower inquiry recommendation was to ensure that firefighting lifts are tested regularly to ensure they work. The follow-up UK public consultation also saw support for regularly testing key firefighting equipment. In Jersey, tall residential buildings have never been subject to these requirements. It is considered reasonable and proportionate to begin with testing at 3 monthly intervals as this will create a significant improvement while being manageable for the Responsible Person.

2. In Jersey, less key firefighting equipment is being included than in the English regulations

The Jersey regulations will not require 3 monthly checks on:
- fire detection and alarm systems
- automatic door release mechanisms linked to fire alarm systems

The reason for excluding these is because tall residential buildings often apply a delayed evacuation strategy and therefore do not routinely have a fire detection and alarm system to raise the alarm in the event of fire. This makes it equally unlikely that automatic door release systems linked to fire detection and alarm systems will be present.

However, in the rare situations where a fire alarm system has been installed, the system and any accompanying automatic door release mechanisms should already be tested and maintained in accordance with current guidance. This would usually entail weekly and monthly testing, combined with six monthly routine maintenance inspections in line with the guidance on the Jersey Fire and Rescue Service website[14].

Difference 3: Provision of key firefighting equipment

Definition: Key firefighting equipment means equipment provided in the communal areas of buildings to help firefighters fight fires and important safety features and facilities within the building. It includes:
- Inlets and outlets for dry rising mains. These are vertical pipes which run from the ground floor of the building to all other floors. The fire and rescue service supply water to the inlet and then attach hoses to the outlets to provide water to tackle fires on all floors. The inlet is on the ground floor and the outlets are on all other floors
- Inlets and outlets for wet rising mains. These are the same as dry rising mains but already have water within them. These are less common than dry rising mains.
- Smoke control systems. These are systems which remove smoke from the communal areas of buildings such as the corridor or stairs in the event of a fire. Automatic opening vents (AOV's) are a typical example of this.

[14] https://jerseyfire.je/your-safety/protection/testing-maintenance

- Fire suppression systems. These are systems designed to suppress a fire automatically if one occurs. Sprinklers are the most common example.
- Evacuation alert systems. These are not common in Jersey. It is a specialist type of alert system which allows the fire and rescue service to initiate the evacuation of tall residential buildings in an emergency.

In the English regulations, there is no requirement for the Responsible Person to provide suitable key firefighting equipment in their building if it is not already there. This is because in relation to key firefighting equipment, the Responsible Person is only required to ensure their buildings do not get any worse from a fire safety perspective than they currently are. There are no legal powers requiring them to improve key firefighting equipment.

In Jersey, the Minister wants to go further and as a last resort be able to require the Responsible Person to improve or even install key firefighting equipment where it is needed to reduce the risk of harm to residents and firefighters from fire to an acceptable level.

Difference 4: The Minister will apply all requirements to all buildings 11 meters tall and above

The English regulations are applied to residential buildings containing 2 or more domestic premises depending on the height of the building. Table 1 demonstrates many of the requirements are only applied to buildings 18 metres tall and higher.

Table 1: How the English regulations are applied

Requirement	Residential building type (containing 2 or more domestic premises)		
	under 11 metres tall	between 11 and 17.9 metres tall	18 metres tall or above
Information to residents (fire safety instructions and fire doors)	✓	✓	✓
Fire door checks		✓	✓
Secure information box			✓
Design and materials of external walls			✓
Floor Plans and building plans			✓
Lifts and key firefighting equipment			✓
Wayfinding signage			✓

2 key differences will exist between the Jersey and English regulations:

1. The Minister will not apply any requirements to residential buildings under 11 metres tall. The Minister wishes to prioritise action in taller buildings as they can represent a higher risk in the event of fire.

2. The Minister will apply all the requirements to all residential buildings of 11 metres tall or more. This reflects the existing approach to the design, construction and material alteration of new and existing tall buildings in Jersey, where for example there is already a requirement in the Technical Guidance Documents to install dry rising mains in buildings over 11 metres tall. Scotland have taken a similar approach to Jersey and following the Grenfell Tower inquiry have classified residential buildings over 11 metres tall as higher-risk residential buildings for the purpose of fire safety legislation and regulations.

Difference 5: Fire doors

The required fire door checks are largely the same. However, in Jersey the Minister has also added a requirement for any fire door faults to be rectified. This does not appear in the English regulations. In England, there is another fire safety law that applies to tall residential buildings called the Regulatory Reform (Fire Safety) Order 2005

This law requires the Responsible Person to address faults with their fire doors through the requirement to provide suitable and sufficient general fire precautions. This additional law does not apply in Jersey, so there was a need to add the requirement to the regulations to ensure the Responsible Person is required to rectify any faults with fire doors and ensure they are fit for purpose.

Difference 6: Requirements imposed on persons other than the Responsible Person

The Jersey regulations will state that if a particular person has control over a particular part of the tall residential building in relation to maintenance, repair or the safety of the building, they can also be considered the Responsible Person. However, this would be solely in relation to the aspect they have responsibility for through a contract or similar and their level of control. For example, if an engineer was contracted to competently conduct certain checks, but they failed to do so, they may be considered the Responsible Person in relation to the effective carrying out of those checks and may be liable for the failure.

In England, the same rule applies to tall residential buildings, but this is covered under a separate fire safety law which applies to them called the Regulatory Reform (Fire Safety) Order 2005. Jersey does not have this law, which is why the regulations have included this requirement.

Difference 7: Cooperation and coordination between Responsible Persons

Where there may be 2 or more Responsible Persons within the same tall residential building, the Jersey regulations will require that they cooperate and coordinate to ensure the best fire safety outcomes. A good example would be where a tall residential building containing flying freehold flats has reviewed its declaration of co-ownership and contract with the property manager and decided that property managers will conduct the 12-month flat entrance door check. However, the flat owner is responsible for providing access and funding any faults.

This means that the property manager may be considered part Responsible Person for the flat entrance door as well as the flat owner. There is a clear need for the 2 groups to cooperate and coordinate to ensure the check can be done and any faults fixed.

In England, the same rule applies to tall residential buildings, but this is covered under a separate fire safety law which applies to them called the Regulatory Reform (Fire Safety) Order 2005. Jersey does not have this law, which is why the regulations have included this requirement.

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Appendix 2: How are the Grenfell Tower inquiry recommendations being addressed in Jersey?

The Grenfell Tower Inquiry Phase 1 report published October 2019 made 46 recommendations based on the evidence heard in relation to the cause of the fire, its subsequent development and the steps taken by the London Fire Brigade (LFB) and the other emergency services in response to it.

The 46 recommendations are broken down into the 13 Thematic areas below;

1. Fire and rescue services: knowledge and understanding of materials used in high-rise buildings
2. Section 7(2)(d) of the Fire and Rescue Services Act 2004
3. Plans
4. Lifts
5. Communication between the control room and the incident commander
6. Emergency calls
7. Command and control
8. Equipment
9. Evacuation
10. Internal Signage
11. Information to Residents
12. Fire doors
13. Cooperation between emergency services

Of the 46 recommendations, 31 relate to organisational capabilities and operational response regarding fires in tall residential buildings. The fire and rescue service continues to work on implementing these. These will not be covered by the proposed regulations nor should they be.

The remaining 15 inquiry recommendations relate to fire safety in residential buildings, with the majority relating to tall residential buildings. Many of these will be addressed through the introduction of the new regulations. However, some will not and will be managed differently. These 15 recommendations are set out below under their relevant theme. The status describes how they are being addressed.

Theme 1
Fire and rescue services: knowledge and understanding of materials used in high-rise buildings

Recommendation 33.10a
That the owner and manager of every high-rise residential building be required by law to provide their local fire and rescue service with information about the design of its external walls together with details of the materials of which they are constructed and to inform the fire and rescue service of any material changes made to them.

Status
This will not be addressed in the new regulations. Instead, the fire and rescue service wishes to work closely with building owners and managers of tall residential buildings, to collect this information in a collaborative way.

Theme 3
Plans

Recommendation 33.12a
That the owner and manager of every high-rise residential building be required by law to provide their local fire and rescue services with up-to-date plans in both paper and electronic form of every floor of the building identifying the location of key fire safety systems.

Status
The proposed regulations will address this recommendation

Recommendation 33.12b
That the owner and manager of every high-rise residential building be required by law to ensure that the building contains a premises information box, the contents of which must include a copy of the up-to-date floor plans and information about the nature of any lift intended for use by the fire and rescue services.

Status
The proposed regulations will address this recommendation.

Theme 4
Lifts

Recommendation 33.13a
That the owner and manager of every high-rise residential building be required by law to carry out regular inspections of any lifts that are designed to be used by firefighters in an emergency and to report the results of such inspections to their local fire and rescue service at monthly intervals.

Recommendation 33.13b
That the owner and manager of every high-rise residential building be required by law to carry out regular tests of the mechanism which allows firefighters to take control of the lifts and to inform their local fire and rescue service at monthly intervals that they have done so

Status
The proposed regulations will address the intent of this recommendation. Appendix 1 describes how the proposed regulations differ from the recommendation.

Theme 9
Evacuation

Recommendation 33.22c
That the owner and manager of every high-rise residential building be required by law to draw up and keep under regular review evacuation plans, copies of which are to be provided in electronic and paper form to their local fire and rescue service and placed in an information box on the premises.

Recommendation 33.22e
That the owner and manager of every high-rise residential building be required by law to prepare personal emergency evacuation plans (PEEPs) for all residents whose ability to self-evacuate may be compromised (such as people with reduced mobility or cognition).

Recommendation 33.22f
That the owner and manager of every high-rise residential building be required by law to include up-to-date information about persons with reduced mobility and their associated personal emergency evacuation plans (PEEPs) in the premises information box.

Status

These recommendations are not addressed in the new regulations. The UK Government enacted secondary regulations on 4 July 2025, which come into force on 6 April 2026. The new regulations aim to improve the fire safety and evacuation of residents in specific residential buildings, who would have difficulties evacuating a building by themselves in the event of a fire.

These difficulties may be due to a physical mobility issue, some other disability such as having sight or hearing impairment, or a cognitive condition. The Regulations also mandate building emergency evacuation plans in residential buildings, depending on their height and evacuation strategy. The Minister will continue to monitor the implementation of the new regulations and their application in Jersey.

Recommendation 33.22d
That all high-rise residential buildings (both those already in existence and those built in the future) be equipped with facilities for use by the fire and rescue services enabling them to send an evacuation signal to the whole or a selected part of the building by means of sounders or similar devices.

Status
This will not be directly addressed in the new regulations. The proposed regulations will require the Responsible Person to provide sufficient key firefighting equipment within their building. In certain instances, this may include the installation of a BS8629 Evacuation Alert System where required to reduce the risk to a tolerable level.

In addition, the ongoing review of the Jersey Technical Guidance Documents will consider the requirements for all new Tall Residential Buildings to be fitted with a BS8629 Evacuation Alert System.

Theme 10
Internal Signage

Recommendation 33.27
That in all high-rise buildings floor numbers be clearly marked on each landing within the stairways and in a prominent place in all lobbies in such a way as to be visible both in normal conditions and in low lighting or smoky conditions.

Status
The proposed regulations will address this recommendation. In addition, the ongoing review of the Jersey Technical Guidance Documents will consider the requirements for all new Tall Residential Buildings to be fitted with Wayfinding Signage.

Theme 11
Information to Residents

Recommendation 33.28
That the owner and manager of every residential building containing separate dwellings (whether or not it is a high-rise building) be required by law to provide fire safety instructions (including instructions

for evacuation) in a form that the occupants of the building can reasonably be expected to understand, taking into account the nature of the building and their knowledge of the occupants.

Status
The proposed regulations will address this recommendation for tall residential buildings. The Minister's wider review of fire safety legislation in Jersey will consider the recommendation to provide the residents of all residential buildings with fire safety instructions and information.

Theme 12
Fire doors

Recommendation 33.29a
That the owner and manager of every residential building containing separate dwellings (whether or not they are high-rise buildings) carry out an urgent inspection of all fire doors to ensure that they comply with applicable legislative standards.

Status
The proposed regulations will partially address this recommendation in tall residential buildings by requiring the Responsible Person to rectify any faults to fire doors during routine inspections. The Fire door section in section 3 describes the type of check and applicable standards. It is not considered proportionate at this stage to require an urgent inspection of all fire doors.

The Minister's wider review of fire safety legislation in Jersey will consider the recommendation to undertake inspections of fire doors in all residential buildings containing separate dwellings to ensure they comply with relevant legislative standards.

Recommendation 33.29b
That the owner and manager of every residential building containing separate dwellings (whether or not they are high-rise buildings) be required by law to carry out checks at not less than three-monthly intervals to ensure that all fire doors are fitted with effective self-closing devices in working order.

Status
The proposed regulations address this recommendation

Recommendation 33.30
That all those who have responsibility in whatever capacity for the condition of the entrance doors to individual flats in high-rise residential buildings, whose external walls incorporate unsafe cladding, be required by law to ensure that such doors comply with current standards.

Status
This will be partially addressed in the new regulations by requiring the Responsible Person for flat entrance doors in tall residential buildings to use "*best endeavors*" to undertake routine inspections of flat entrance doors, including ensuring the effective operation of self-closing devices and rectifying any faults or damage. However, unless the flat entrance door has been replaced with a non-fire door, there will be no requirement to ensure the door complies with current standards. Meeting the standards of the time it was installed, in an undamaged condition with an effective self-closer may be sufficient.

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